

**REPLY UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER 1600
GROUP ART UNIT 1635**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: § Confirmation Number: 7183
Lewin *et al.* §

Appl. No. 09/847,601 § Examiner: CHONG, Kimberly

Filed: May 1, 2001 § Group Art Unit: 1635

For: rAAV-Vectored Ribozymes and Method for § Attorney Docket No.: 36689.140
Treatment of Retinal Diseases (As Amended) §

**1. AMENDMENT; 2. RESPONSE TO FINAL OFFICE ACTION DATED MARCH 14, 2008; AND
3. NOTICE OF APPEAL**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The Examiner is respectfully requested to enter the following amendment. A response to the Final Official Action in the present application, dated March 14, 2008 ("the Action"), is also submitted, and the Examiner is requested to consider the remarks therein. Applicants believe that the present arguments fully resolve the outstanding rejection and place the existing claims in immediate condition for allowance. To that end, re-examination and reconsideration is respectfully requested on this basis to permit a timely allowance of the case.

A Petition for an Extension of Time of three month(s) to and including September 15, 2008 (September 14, 2008 being a Sunday), is included to render the amendment, response, Notice of Appeal, and Request for Examiner Interview timely submitted. Should any additional fees be deemed necessary for any reason in connection with the present submission, the

Commissioner is hereby authorized to deduct any necessary amounts from Deposit Account No. 08-1394, Order No. 36689.140.

To facilitate continued pendency of the present application in order that the Examiner consider the following remarks, and to facilitate Applicants' undersigned representative to conduct an Examiner Interview with Examiner Chong, particularly in an effort to secure allowance of the pending claims, and with an eye to placing the present case in better stead for appeal, should such additional proceedings be required, Applicants hereby formally submit their Notice of Appeal, and accompany the present submission with the requisite Notice of Appeal Fee.

Should the separate Notice of Appeal paper which accompanies the present submission be missing, or should the separate authorization for paying the required Notice Fee be missing, the present paragraph is constructive notice of Applicants' desire to facilitate continued pendency of the present case through the Notice of Appeal and its subsequent proceedings. Applicants fully believe, however, that a telephonic conference with the Examiner and the Applicants' undersigned representative will be sufficient to facilitate closure of the present case on the merits and resolve the issues which may have previously been outstanding in Examiner Chong's mind prior to the present submission.

Amendments to the Claims (Listing of Claims) begin on page 3 of this paper.

Remarks/Arguments begin on page 10 of this paper.